

**CITY COMMISSION REGULAR MEETING AGENDA
DECEMBER 17, 2002 - 6:00 P.M.**

Roll Call

Invocation: Rabbi Schneur Kaplan, Chabad Torah Center

Pledge of Allegiance

Approval of Minutes and Agenda: December 10, 2002

PRESENTATIONS

1. The Mayor and City Commissioners will recognize the recipient of the ***Community Appearance Board's "WOW Award"*** for District IV.
2. The Mayor and City Commissioners will present a Commendation to David R. Drimmer for the ***"Cosmic Muffin."***
3. The Mayor and City Commissioners will recognize the recipients of the ***Recycling Incentive Grant Awards***.

CONSENT AGENDA

Those matters included under the Consent Agenda are self-explanatory and are not expected to require review or discussion. Items will be enacted by one motion; if discussion on an item is desired by any City Commissioner or member of the public, however, that item may be removed from the Consent Agenda and considered separately.

Event Agreement – Ocean Mile Swim

(M-1)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with the **International Swimming Hall of Fame, Inc.** to indemnify, protect, and hold harmless the City from any liability in connection with the **Ocean Mile Swim** to be held **Saturday, January 4, 2003 from 9:30 a.m. to 11:00 a.m.** at Fort Lauderdale Beach.

Recommend: Motion to approve.

Exhibit: Memo No. 02-1855 from City Manager.

CONSENT AGENDA

Event Agreement – Las Olas Art Fair**(M-2)**

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with the **Las Olas Association** to indemnify, protect, and hold harmless the City from any liability in connection with the **Las Olas Art Fair** to be held **Saturday and Sunday, January 4 and 5, 2003 from 10:00 a.m. to 5:00 p. m.** in the East Las Olas Boulevard shopping district; and further authorizing the closing of East Las Olas Boulevard from S.E. 6 Avenue to S.E. 11 Avenue from 4:30 a.m. Saturday, January 4 to 10:00 p.m. Sunday, January 5, 2003.

Recommend: Motion to approve.**Exhibit:** Memo No. 02-1816 from City Manager.**Event Agreement – NHL All-Star Event****(M-3)**

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with the **Las Olas Riverfront Associates Limited Partnership** to indemnify, protect, and hold harmless the City from any liability in connection with the **NHL All-Star Event** to be held **Wednesday, January 29, 2003 from 5:00 p.m. to 11:00 p.m.**; and further authorizing the closing of S.W. 1 Avenue from S.W. 2 Street south to the alley between Las Olas Riverfront and Las Olas Park Place from 11:00 a.m. Wednesday, January 29 to 5:00 a.m. Thursday, January 30, 2003.

Recommend: Motion to approve.**Exhibit:** Memo No. 02-1817 from City Manager.**Event Agreement – Men's Awareness****(M-4)**

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with **Christ Found All Creation Saved (CFACS), Inc.** to indemnify, protect, and hold harmless the City from any liability in connection with the **Men's Awareness** to be held **Saturday, February 1, 2003 from 9:00 a.m. to 9:00 p.m.**

Recommend: Motion to approve.**Exhibit:** Memo No. 02-1818 from City Manager.

**Amendment to Agreement and
Extension of Term – Carriage (CFS Funeral
Services, Inc.) – Maintenance and Operation of the City Cemeteries**

(M-5)

A motion authorizing the proper City officials to execute an amendment to the agreement, including a five (5) year extension, with Carriage (CFS Funeral Services, Inc.) for the maintenance and operation of the City Cemeteries effective October 1, 2003.

Recommend: Motion to approve.**Exhibit:** Memo No. 02-1786 from City Manager.

CONSENT AGENDA

Five-Year Capital Improvement Plan (CIP) – Years 2002-2007

(M-6)

A motion approving the five-year Capital Improvement Plan for years 2002 through 2007.

Funds: See CIP distributed December 10, 2002

Recommend: Motion to approve.

Exhibit: Memo No. 02-1771 from City Manager.

**Contract Extension –
The Rhodes Insurance Group – Employee Health Plan**

(M-7)

A motion authorizing the proper City officials to extend the agreement with The Rhodes Insurance Group through March 31, 2003, for assistance with the City's employee health plan.

Recommend: Motion to approve.

Exhibit: Memo No. 02-1853 from City Manager.

**Lease Agreement- Flotilla Two, Inc. –
U. S. Coast Guard Auxiliary Building – 601 Seabreeze Boulevard**

(M-8)

A motion authorizing the proper City officials to execute a lease agreement with Flotilla Two, Inc. for use of the U. S. Coast Guard Auxiliary building and property located at 601 Seabreeze Boulevard for a term of one year commencing January 1, 2003 through December 31, 2003.

Recommend: Motion to approve.

Exhibit: Memo No. 02-1828 from City Manager.

**Reimbursement of Costs per Pipeline/Crossing
Blanket Utility Agreement – Florida East Coast Railway
Company (FEC) – Pipeline Crossings Pavement Rehabilitation**

(M-9)

A motion authorizing the payment of \$11,430.65 to the FEC for reimbursement of costs associated with the City's share for the pipeline crossings pavement rehabilitation in accordance with the 1996 FEC Blanket Utility License Agreement with the FEC, as amended in 2000.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 02-1657 from City Manager.

CONSENT AGENDA

**Reimbursement of Costs per Pipeline/Crossing
Blanket Utility Agreement – Florida East Coast Railway
Company (FEC) – Reconstruction of S.W. 22 Street Railroad Crossing (M-10)**

A motion authorizing the payment of \$39,369.50 to the FEC for reimbursement of costs associated with the City's share for the reconstruction of the S.W. 22 Street railroad crossing in accordance with the 1954 Pipeline/Crossing Blanket Utility Agreement with the FEC.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 02-1846 from City Manager.

**Executive Airport – Acceptance of
Steel Traffic Plates from JM Family Enterprises, Inc. (JM Family Aviation) (M-11)**

A motion authorizing the proper City officials to accept seven (7) steel traffic plates from JM Family Enterprises, Inc. (JM Family Aviation).

Recommend: Motion to approve.

Exhibit: Memo No. 02-1669 from City Manager.

**Change Order No. 3 – National Landscape, Inc. –
Project 10279 – N.W. 22 Road Landscape and Sidewalk Project (M-12)**

A motion authorizing the proper City officials to execute Change Order No. 3 with National Landscape, Inc. in the amount of \$17,457.40 for additional work associated with the N.W. 22 Road landscape and sidewalk project.

Funds: See Change Order

Recommend: Motion to approve.

Exhibit: Memo No. 02-1847 from City Manager.

PURCHASING AGENDA

County - One Year Contract for Aggregates, Top Dressing and Sand

(Pur-1)

A one-year agreement for the purchase of aggregates, top dressing and sand is being presented for approval by various departments.

Recommended Award:	Tenex Enterprises (WBE) Coral Springs, FL Glen Contracting Davie, FL
Amount:	Per unit pricing
Bids Solicited/Rec'd:	166/7 with 5 no bids
Exhibits:	Memorandum No. 02-1790 from City Manager

The Procurement and Materials Management Division reviewed this item and agrees with the recommendation to approve a one-year agreement.

Florida Sheriff's Assoc. - Purchase of Two Pickup Trucks

(Pur-2)

An agreement to purchase two pickup trucks is being presented for approval by the Administrative Services, Fleet Services Division.

Recommended Award:	Duval Ford Jacksonville, FL
Amount:	\$ 41,643.00 (estimated)
Bids Solicited/Rec'd:	N/A
Exhibits:	Memorandum No. 02-1839 from City Manager

The Procurement and Materials Management Division recommends awarding from the Florida Sheriff's Association Contract with the transfer of \$41,643 from Service Chg-Vehicle Rental (PBS680404-4373) to the Fleet Fund (ADM030501-6416).

PURCHASING AGENDA

Proprietary – Annual Maintenance for Police CAD and RMS System

(Pur-3)

An annual maintenance agreement for the Police CAD and RMS system is being presented for approval by the Police Department.

Recommended Award:	Intergraph Huntsville, AL Avel-Tech Laval, Que. Canada Smart Business Systems Tampa, FL Tiburon, Inc. San Francisco, CA
Amount:	\$ 246,607.32
Bids Solicited/Rec'd:	N/A
Exhibits:	Memorandum No. 02-1844 from City Manager

The Procurement and Materials Management Division reviewed this item and agrees with the recommendation to approve the proprietary purchase.

City of Apopka – Chemical, Biological Suits and Breathing Equipment

(Pur-4)

An agreement to purchase chemical, biological suits and breathing equipment is being presented for approval by the Police Department.

Recommended Award:	Fisher Scientific Co. LLC Tampa, FL
Amount:	\$ 80,185.20 (estimated)
Bids Solicited/Rec'd:	N/A
Exhibits:	Memorandum No. 02-1781 from City Manager

The Procurement and Materials Management Division recommends awarding from the City of Apopka contract.

MOTIONS

Those matters included under the Motions category differ from the Consent Agenda in that items will be voted on individually. In addition, presentations will be made on each motion item if so desired.

Lien Settlement for Code Enforcement Board Case

(M-13)

A motion authorizing a settlement as proposed for the following Code Enforcement Board case. On December 10, 2002, the City Commission deferred consideration of this item to December 17, 2002 by a vote of 5-0.

1. 1518 N.W. 6 Street (CE00041235) – Eula M. Johnson - \$50,000

Recommend: Introduce motion.

Exhibit: Memo No. 02-1888 from City Manager.

City Commission Request for Review –

Amend Site Plan Level II Approval/RAC-East TMU -

Venezia Las Olas, Inc. for “The Venezia Las Olas” (PZ Case No. 24-R-99)

(M-14)

A motion scheduling a public hearing for Wednesday, January 22, 2003 in conjunction with review of a proposed amendment to the approved Site Plan Level II of The Venezia Las Olas development, which was administratively approved December 5, 2002. (Requested by Vice Mayor Hutchinson)

Applicant: Venezia Las Olas, Inc.

Request: Amendment to Site Plan Level II (DRC) Approval

Location: 111 S.E. 8 Avenue

Recommend: Introduce motion.

Exhibit: Memo No. 02-1875 from City Manager.

Settlement Agreement – Elgin Jones and U. S. Department of Justice

(M-15)

A motion authorizing the proper City officials to execute a settlement agreement with Elgin Jones and U.S. Department of Justice.

Recommend: Introduce motion.

Exhibit: N/A

Task Order – Project 10222 –

City Park Garage Rehabilitation – Inspection Services

(M-16)

A motion authorizing the proper City officials to execute a task order for inspection services for the City Park Garage rehabilitation project.

Funds: See Memo

Recommend: Introduce motion.

Exhibit: Memo No. 02-1893 from City Manager.

MOTIONS

Those matters included under the Motions category differ from the Consent Agenda in that items will be voted on individually. In addition, presentations will be made on each motion item if so desired.

Project 8994-A – Lifeguard Stand Replacement Project

(M-17)

A motion authorizing the lifeguard stand replacement project as outlined in the agenda memorandum.

Funds: See Memo

Recommend: Introduce motion.

Exhibit: Memo No. 02-1742 from City Manager.

RESOLUTIONS

Executive Airport – FAR Part 150

Noise Compatibility Study Update – Federal Aviation Administration (FAA)

(R-1)

A resolution authorizing the proper City officials to forward the FAR Part 150 Noise Study Update to the FAA for its review and approval. Notice of proposed resolution was published December 8, 2002.

Recommend: Introduce resolution.

Exhibit: Memo No. 02-1836 from City Manager.

(PLEASE SEE PAGE 14 FOR CONTINUATION OF RESOLUTIONS)

PUBLIC HEARINGS

Certificate of Public Convenience and Necessity – B. C. Express, Inc.

(PH-1)

A public hearing to consider a resolution approving the application of B. C. Express, Inc. to operate two rental vehicles with chauffeurs over irregular routes within the City, pursuant to Sections 27-191 and 27-192 of the Code of Ordinances. Notice of public hearing was published December 5 and 12, 2002.

Recommend: Open hearing; close hearing; introduce resolution.

Exhibit: Memo No. 02-1791 from City Manager.

Certificate of Public Convenience and Necessity – John-John Airport Shuttle, Inc.

(PH-2)

A public hearing to consider a resolution approving the application of John-John Airport Shuttle, Inc. to operate five rental vehicles with chauffeurs over irregular routes within the City, pursuant to Sections 27-191 and 27-192 of the Code of Ordinances. Notice of public hearing was published December 5 and 12, 2002.

Recommend: Open hearing; close hearing; introduce resolution.

Exhibit: Memo No. 02-1792 from City Manager.

Certificate of Public Convenience and Necessity – COL-USA Transports, Inc.

(PH-3)

A public hearing to consider a resolution approving the application of COL-USA Transports, Inc. to operate one rental vehicle with a chauffeur over irregular routes within the City, pursuant to Sections 27-191 and 27-192 of the Code of Ordinances. Notice of public hearing was published December 5 and 12, 2002.

Recommend: Open hearing; close hearing; introduce resolution.

Exhibit: Memo No. 02-1797 from City Manager.

ORDINANCES

Waterworks 2011 Water and Wastewater Capital Improvement Program (CIP)**(O-1)**

An ordinance amending Chapter 28 of the Code of Ordinances entitled, "Water, Wastewater and Stormwater," to address the Waterworks 2011 Water and Wastewater CIP by amending Section 28-26 to provide for additional definitions; Section 28-76, "Wastewater User Rates," to provide for sewer connection charges and payment options, to provide for a ten (10) percent surcharge on wastewater rates to new users connecting to the new wastewater system to amend such other sections of Chapter 28 necessary to make sections consistent. Ordinance No. C-02-39 was published November 28 and December 5, 2002, and was approved on first reading December 10, 2002 by a vote of 5-0.

Recommend: Introduce ordinance on second reading.
Exhibit: Memo No. 02-1862 from City Manager; and
 Memo No. 02-1737 from City Manager.

Rezone RM-15 to CF-H –**St. Christopher Episcopal Church (PZ Case No. 8-Z-02)****(O-2)**

At the October 16, 2002 Planning and Zoning Board regular meeting, it was recommended by a vote of 9-0 that the following application be approved. Ordinance No. C-02-40 was published November 28 and December 5, 2002, and was approved on first reading December 10, 2002 by a vote of 4-0.

Applicant: St. Christopher Episcopal Church
 Request: Rezone RM-15 to CF-H
 Location: 318 N.W. 6 Avenue

Recommend: Introduce ordinance on second reading.
Exhibit: Memo No. 02-1883 from City Manager; and
 Memo No. 02-1755 from City Manager.

Note: Anyone wishing to speak on this item must be sworn in.

City Commissioners will announce any site visits, communications or expert opinions received, and make them part of the record.

ORDINANCES

Public Purpose Use/Site Plan Approval/I –

Florida Power and Light – Powerline Substation (PZ Case No. 98-R-02)

(O-3)

At the October 16, 2002 Planning and Zoning Board regular meeting, it was recommended by a vote of 8-1 that the following application be approved. Ordinance No. C-02-41 was published November 28 and December 5, 2002, and was approved on first reading December 10, 2002 by a vote of 5-0.

Applicant: Florida Power and Light (FPL)
Request: Public Purpose Use/Site Plan Approval/I
Location: North of N.W. 57 Place, between the CSX/Tri-Rail Railroad and N.W. 9 Avenue (Powerline Road)

Recommend: Introduce ordinance on second reading.

Exhibit: Memo No. 02-1860 from City Manager; and
Memo No. 02-1717 from City Manager.

Note: Anyone wishing to speak on this item must be sworn in.

City Commissioners will announce any site visits, communications or expert opinions received, and make them part of the record.

Public Purpose Use/Site Plan Approval/C –

Florida Power and Light – Verena Substation (PZ Case No. 118-R-02)

(O-4)

At the November 20, 2002 Planning and Zoning Board regular meeting, it was recommended by a vote of 6-0 that the following application be approved. Ordinance No. C-02-42 was published November 28 and December 5, 2002, and was approved on first reading December 10, 2002 by a vote of 5-0.

Applicant: Florida Power and Light (FPL)
Request: Public Purpose Use/Site Plan Approval/C
Location: 1401 N.E. 13 Avenue

Recommend: Introduce ordinance on second reading.

Exhibit: Memo No. 02-1861 from City Manager; and
Memo No. 02-1826 from City Manager.

Note: Anyone wishing to speak on this item must be sworn in.

City Commissioners will announce any site visits, communications or expert opinions received, and make them part of the record.

ORDINANCES

Public Purpose Use/Site Plan Approval/RAC-SMU –**Florida Power and Light – Orchid Substation (PZ Case No. 97-R-02)****(O-5)**

At the October 16, 2002 Planning and Zoning Board regular meeting, it was recommended by a vote of 8-1 that the following application be approved. Ordinance No. C-02-36 was published November 7 and 14, 2002, and approved on first reading November 19, 2002 by a vote of 5-0. On December 10, 2002, the City Commission deferred second reading to December 17, 2002 by a vote of 5-0.

Applicant: Florida Power and Light (FPL)
 Request: Public Purpose Use/Site Plan Approval/RAC-SMU
 Location: Northwest corner of S.W. 3 Avenue and S.W. 7 Street (645 S.W. 2 Avenue)

Recommend: Introduce ordinance on second reading.

Exhibit: Memo No. 02-1885 from City Manager;
 Memo No. 02-1822 from City Manager; and
 Memo No. 02-1606 from City Manager.

Note: Anyone wishing to speak on this item must be sworn in.

City Commissioners will announce any site visits, communications or expert opinions received, and make them part of the record.

Public Purpose Use/Site Plan Approval/U –**Florida Power and Light – Southside Substation (PZ Case No. 119-R-02)****(O-6)**

At the October 16, 2002 Planning and Zoning Board regular meeting, it was recommended by a vote of 8-1 that the following application be approved. Ordinance No. C-02-37 was published November 7 and 14, 2002, and approved on first reading November 19, 2002 by a vote of 5-0. On December 10, 2002, the City Commission deferred second reading to December 17, 2002 by a vote of 5-0.

Applicant: Florida Power and Light (FPL)
 Request: Public Purpose Use/Site Plan Approval/U
 Location: Northwest corner of S.W. 9 Street and the FEC Railroad (200 S.W. 7 Street)

Recommend: Introduce ordinance on second reading.

Exhibit: Memo No. 02-1884 from City Manager;
 Memo No. 02-1823 from City Manager; and
 Memo No. 02-1607 from City Manager.

Note: Anyone wishing to speak on this item must be sworn in.

City Commissioners will announce any site visits, communications or expert opinions received, and make them part of the record.

ORDINANCES

Amendment to Pay Plan**(O-7)**

An ordinance amending the Pay Plan of the City to provide for new classes, the deletion of a class, the adjustment of the pay range of a class, and amend the Wellness Incentive Program to incorporate the Intervent Program into the management benefit package, all in Schedule I; and further amending Ordinance No. C-94-22 to provide non-bargaining unit Confidential Schedule II employees with the Intervent Wellness Incentive Program. Ordinance No. C-02-43 was published November 30, 2002, and was approved on first reading December 10, 2002 by a vote of 5-0.

Recommend: Introduce ordinance on second reading.
Exhibit: Memo No. 02-1886 from City Manager; and
 Memo No. 02-1764 from City Manager.

Amendment to Ordinance No. C-96-62 – Budget Advisory Board Terms**(O-8)**

An ordinance amending Ordinance No. C-96-62 which created the Budget Advisory Board, to amend the date a board member's term of office begins and to approve a one-time extension of the term of office for existing board members to coincide with the City's fiscal year. Ordinance No. C-02-44 was published November 30, 2002, and was approved on first reading December 10, 2002 by a vote of 5-0.

Recommend: Introduce ordinance on second reading.
Exhibit: Memo No. 02-1890 from City Manager; and
 Memo No. 02-1841 from City Manager.

Amend Section 47-24.2.A.5.b “Administrative Approval of Amendments To Site Plan Level III or IV” and Section 47-26.A.2 “City Commission Request for Review” - Unified Land Development Regulations (ULDR) – City of Fort Lauderdale (PZ Case No. 8-T-02)

(O-9)

At the October 16, 2002 Planning and Zoning Board regular meeting, it was recommended by a vote of 9-0 that the following application be approved. Notice of proposed ordinance was published December 7, 2002.

Applicant: City of Fort Lauderdale/Construction Services Bureau
 Request: Amend Section 47-24.2.A.5.b “Administrative Approval of Amendments to Site Plan Level III or IV” and Section 47-26.A.2 “City Commission Request for Review”

Recommend: Introduce ordinance on first reading.
Exhibit: Memo No. 02-1787 from City Manager.

RESOLUTIONS

(PLEASE SEE PAGE 8 FOR ITEM R-1)

Tax Increment Revenue Bonds for \$11,000,000 – Northwest-Progresso-Flagler Heights Community Redevelopment Area **(R-2)**

A resolution approving the City's issuance of not to exceed \$11,000,000 Fort Lauderdale Community Redevelopment Agency (CRA) Tax Increment Revenue Bonds, Series 2003 (Northwest-Progresso-Flagler Heights Community Redevelopment Area Project).

Recommend: Introduce resolution.
Exhibit: Memo No. 02-1873 from City Manager.

Vacate Utility Easement - Twenty-Five, LLC (DRC Case No. 7-M-02) **(R-3)**

A resolution authorizing the vacation of a utility easement abutting Parcel A, Federal Highway, and 2nd Street (CBD Plat, Plat Book 153, Page 49).

Applicant: Twenty-Five, LLC
 Request: Vacate utility easement
 Location: Northwest intersection of N.E. 2 Street and North Federal Highway

Recommend: Introduce resolution.
Exhibit: Memo No. 02-1865 from City Manager.

Intent to Convey Public Property – Fort Lauderdale Community Redevelopment Agency (CRA) – Las Olas Intracoastal Municipal Parking Lot **(R-4)**

A resolution declaring the City's intent, pursuant to Section 8.02 of the City Charter, to convey a portion of certain public property platted as Las Olas Del Mar I, Parcels A and B, also known as the Las Olas Intracoastal Municipal Parking Lot, to the CRA; and further scheduling a public hearing for consideration of such conveyance of public property to be held Wednesday, January 22, 2003 at 6:00 p.m.

Recommend: Introduce resolution.
Exhibit: Memo No. 02-1840 from City Manager.

Triennial Municipal Primary and Regular Elections – February 11, 2003 and March 11, 2003 **(R-5)**

A resolution scheduling the triennial Municipal Primary and Regular elections to be held Tuesday, February 11, 2003 and Tuesday, March 11, 2003, respectively, in accordance with Section 7.12 of the City Charter.

Recommend: Introduce resolution.
Exhibit: Memo No. 02-1874 from City Clerk.
